

the governor shall be determined by lot, between those who have equal numbers; and if the person chosen governor shall die, resign, remove out of the state, or refuse to act (sitting the general assembly) the senate and house of delegates shall immediately thereupon proceed to a new choice in manner aforesaid.

26. "That the senators and delegates, on the second Tuesday of November, seventeen hundred and seventy-seven, and annually on the second Tuesday of November, forever thereafter, elect by joint ballot in the same manner as senators are directed to be chosen, five of the most sensible, discreet and experienced men, above twenty-five years of age, residents in the state above three years next preceding the election, and having therein a freehold in lands and tenements, above the value of one thousand pounds current money, to be the council to the governor, whose proceedings shall be always entered on record, to any part whereof any member may enter his dissent, and their advice, if so required by the governor, or any member of the council, shall be given in writing, and signed by the members giving the same respectively; which proceedings of the council shall be laid before the senate, or house of delegates, when called for by them, or either of them. The council may appoint their own clerk, who shall take such oath of support and fidelity to this state as this convention or the legislature shall direct, and of secrecy, in such matters as he shall be directed by the board to keep secret.

27. That the delegates to congress from this state shall be chosen annually or superceded in the mean time by the joint ballot of both houses of assembly, and that there be a rotation in such manner that at least two of the number be annually changed, and no person shall be capable of being a delegate to congress for more than three in any term of six years; and no person who holds any office of profit in the gift of congress shall be eligible to sit in congress, but if appointed to any such office his seat shall be thereby vacated: That no person unless above twenty-five years of age, and a resident in this state more than five years next preceding the election, and having real and personal estate in this state above the value of one thousand pounds current money, shall be eligible to sit in congress.

28. "That the senators and delegates, immediately on their annual meeting, and before they proceed to any business, and every person hereafter elected a senator, or delegate, before he acts as such, shall take an oath of support and fidelity to this state as aforesaid, and before the election of the governor, or members of the council shall take an oath "to elect without favour, affection,